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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

230 SOUTH DEARBORN ST.

CHICAGO, ILLINOIS 60604

REPLY TO THE ATTENTION OF:

5HS-11

27 SEP 1989

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

JERSEY TITANIUM CO.
C/O NEW JERSEY ZINC CO.
1209 ORANGE ST.
WILLIMINGTON, DE 19801

Re: Administrative Order
Fields Brook Site Ashtabula, Ohio
U.S. EPA Docket No.
VW 89-C-008

The United States Environmental Protection Agency (U.S. EPA or "the Agency") has determined that the actual and/or threatened release of hazardous substances from the Fields Brook site in Ashtabula, Ohio may present an imminent and substantial endangerment to the public health, welfare, or the environment. A Unilateral Administrative Order, to which you were named a respondent, was issued by the U.S. EPA pursuant to Section 106 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) on March 22, 1989.

To date, a group of respondents have organized and provided the Agency with detailed Work Plans to carry out the activities specified in the Statement of Work in compliance with the provisions of the Order. It is our understanding that you are not part of this group. Pursuant to Section 106 of CERCLA, any person who, without sufficient cause, willfully violates, or fails or refuses to comply with such order may, in an action brought in an appropriate United States district court to enforce such order, be fined not more than \$25,000 for each day in which such violation occurs or such failure to comply continues. This letter is to inform you that the U.S. EPA will consider such enforcement action if your failure to comply with the Fields Brook Unilateral Order continues.

The Agency strongly encourages you to give this important matter your immediate consideration.

If you need further information regarding this letter, you may contact Allen Wojtas of the Remedial and Enforcement Response Branch at (312) 886-6941 or Michael Berman, Assistant Regional Counsel at (312) 886-6837.

Sincerely yours,

Mary A. Gade

Mary A. Gade, Director
Office of Superfund

cc: Don Vanterpoole, OEPA-Legal